

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Joseph W. LaFramboise Amanda Lea LaFramboise Debtor(s).	: : : : : :	Case No.: 17-17587 Chapter 13 Judge Richard E. Fehling *****
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OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

Now comes Wells Fargo Bank, N.A. ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 66 Stella Drive, Sinking Spring, PA 19608. Creditor has filed proof of claim number 14 for the subject mortgage loan.
2. Debtor's Chapter 13 Plan does not list Creditor's subject mortgage loan as a secured claim and makes no provision for the maintenance of post-petition payments. Creditor requests that the Plan be amended to provide for Creditor's claim or to surrender Debtor's interest in the property.
3. Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)

Kimberly A. Bonner (89705)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

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Attorneys for Creditor

The case attorney for this file is Karina Velter.

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In re: :
 : **Case No.: 17-17587**
Joseph W. LaFramboise : **Chapter 13**
Amanda Lea LaFramboise : **Judge Richard E. Fehling**
 : *********
Debtor(s).

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's

Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, Office of the U.S. Trustee, 833 Chestnut Street, Suite 500,
Philadelphia, PA 19107

Frederick L. Reigle, Chapter 13 Trustee, Chapter 13 Trustee, 2901 St. Lawrence Ave.,
Reading, PA 19606

John A. DiGiamberardino, Attorney for Joseph W. LaFramboise and Amanda Lea
LaFramboise, Case & DiGiamberardino, P.C., 845 North Park Road, Wyomissing, PA
19610, jad@cdllawoffice.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 19,
2018:

Joseph W. LaFramboise and Amanda Lea LaFramboise, 66 Stella Drive, Sinking Spring, PA
19608

DATE: 1/19/2018

/s/ Karina Velter

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